

From: Andrew W. Hill
To: Microsoft ATR
Date: 12/17/01 4:34pm
Subject: Microsoft Settlement

I strenuously object to the settlement in the Microsoft antitrust trial. I am a student, programmer and computer technician. I do technical support on both Windows and Macintosh computers, and it has been my experience that Windows is a far inferior operating system. It crashes more frequently, is harder to use and users are far less time-efficient on the Windows machines. Despite this, Windows runs on 90% or more of the computers in America.

Microsoft was convicted of engaging in illegal activities that enabled it to create and maintain a monopoly. There is no penalty suggested for such illegal activities in the settlement, merely clarifications that hope to prevent further illegal continuation of the monopoly. I do not believe these will prevent such a continuation, and a penalty should be required in response to the illegal actions performed so far.

I am also skeptical about the availability of unbiased persons to sit on the technical committee. Microsoft's effect on the computing industry is such that there would be very few people with such technical knowledge that would not have any predisposition towards Microsoft.

In addition, the matter of illegally tying applications to the operating system has not been adequately addressed. Microsoft was initially convicted of illegally tying, but was overturned on appeal. Since then, it has been remanded to the District Court for consideration. This settlement prematurely closes the issue of illegal tying before it can be considered properly.

This settlement is unsatisfactory for a number of reasons, especially the lack of a penalty. There is no incentive for Microsoft to comply with future requirements, as they have not been penalized for their actions, merely to cease such actions. What is to stop them from engaging in further activities knowing that there will be no drawbacks beyond stopping them? It would be akin to debating whether to take a miracle drug with the long term effects of water. No, there is no incentive here to prevent further abuse of the legal system, or of the market through the use of illegal monopolies.

Sincerely,
Andrew W. Hill